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COMMISSION ON HUMAN RIGHTS

Forty-seventh session

SUMMARY RECORD OF THE 14th MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 6 February 1991, at 3 p.m.

Chairman: Mr. AMOO GOTTFRIED (Ghana)

later: Mr. BERNALES BALLESTEROS (Peru)

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The meeting was called to order at 3.25 p.m.

VIOLATIONS OF HUMAN RIGHTS IN SOUTHERN AFRICA: REPORT OF THE AD HOC WORKING GROUP OF EXPERTS (agenda item 5) (continued) (E/CN.4/1991/9 and 10; A/45/615)

THE ADVERSE CONSEQUENCES FOR THE ENJOYMENT OF HUMAN RIGHTS OF POLITICAL, MILITARY, ECONOMIC AND OTHER FORMS OF ASSISTANCE GIVEN TO THE COLONIAL AND RACIST REGIME IN SOUTHERN AFRICA (agenda item 6) (continued) (E/CN.4/Sub.2/1990/13 and Add.1)

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IMPLEMENTATION OF THE PROGRAMME OF ACTION FOR THE SECOND DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION (agenda item 16) (continued) (E/CN.4/1991/43 and 45)

1. Mr. LEMINE (Mauritania), said that important changes had taken place in South Africa since the Commission's previous session. The release of Nelson Mandela, the unbanning of political organizations and the beginning of a dialogue with the genuine representatives of the black majority were highly significant measures. The recent announcement of the forthcoming repeal of three Acts constituting the pillars of apartheid was an important step towards the final abolition of that detestable system.

2. Nevertheless, a long road still lay ahead. The report of the Ad Hoc Working Group of Experts on southern Africa (E/CN.4/1991/10) showed that acts of violence and intimidation were still continuing on a large scale. The security forces still enjoyed vast powers and acted with impunity, and their role in the inter-ethnic violence showed that their conduct had not changed. Thus, the announced intentions of the South African Government had still to be implemented.

3. Apartheid, a system which institutionalized racism and racial discrimination, must be completely dismantled. To that end, the South African régime must act in consultation and close co-operation with the people's representatives. Together, they must quickly develop suitable means establishing a new, egalitarian, democratic and non-racial South Africa.

4. In the interim, international pressure must not be relaxed, because it was that pressure, together with the unrelenting struggle of the South Africans themselves, which had contributed to the progress achieved. Sanctions should be maintained until apartheid was abolished and increased assistance should be given to the national liberation movements in South Africa.

5. Mr. NGOUBEYOU (Observer for Cameroon) said that the unbanning of black political organizations, the release of Nelson Mandela and other action taken a year previously by the South African President had aroused the hope of the international community that South Africa might become a pluralistic and multiracial society. Unfortunately, however, the Working Group's report (E/CN.4/1991/10) showed that apartheid and human rights violations were still continuing. While Mr. De Klerk's courageous announcement, a few days earlier,

that the three remaining pillars of apartheid were about to be abolished meant that the end of apartheid as a legally institutionalized system was near, the negative reactions of the extreme right wing gave reason for concern.

6. The report documented many cases of human rights violations which were clearly perpetrated with the complicity of the police and security forces. For that reason, while hoping that the South African authorities would display greater courage and determination in the process of eradicating apartheid, he also urged the black communities to show a greater sense of responsibility and restraint. In that connection, he welcomed the recent meeting between Nelson Mandela and Chief Buthulezi and the forthcoming discussions, for the first time in many years, between the African National Congress (ANC) and the Pan Africanist Congress of Azania (PAC), both of which events could help to put an end to the regrettable inter-ethnic violence.

7. It should be emphasized that human rights violations in South Africa would not end with the abolition of the legal underpinnings of apartheid, because there was a social and cultural form of apartheid which would continue to exist as long as the economy did not satisfy the needs of all sectors of the population and the distribution of South Africa's vast wealth remained unjust and unequable.

8. The transnational corporations which continued to operate in South Africa in violation of United Nations resolutions bore a large share of the responsibility for the persistence of the apartheid régime. The role of those corporations in the pauperization of the black population was described in the report of the Group of Three (E/CN.4/1991/42) and his delegation shared the Group's view that the activities of the transnational corporations did nothing to improve the critical socio-economic situation of the vast majority of the population. Nevertheless, those corporations could play a positive role in a new South Africa, provided that the entire ecoromic system was redesigned so as to bring about a fundamental change in the living conditions of the majority.

9. In the face of the calls which were already being heard for the lifting of sanctions against South Africa, he supported all the Working Group's recommendations, especially Nos. 4, 5, 6 and 11, and the conclusions and recommendations of the Group of Three. The international community must remain vigilant, even if Mr. De Klerk's recent speech did constitute a fundamental break with the logic of apartheid amd deserved to be recognized as such.

10. Mr. OGADA (Observer for Kenya) said that his delegation endorsed the recommendations of the Working Group's report (E/CN.4/1991/10) and urged their adoption.

11. While welcoming the changes which had taken place in South Africa in the past year and urging the South African Government to continue implementing all of its reforms, he none the less noted that, although the ANC, PAC and South African Communist Party were officially unbanned, there were still a number of restrictions on their freedom to pursue political activity.

12. The situation with regard to the right to life and other fundamental human rights of the black population remained much the same, despite the stated intentions of the Government. Arbitrary fatal shootings still occurred during peaceful demonstrations.

13. He called on the South African Government to take further positive actions, such as initiating talks on a new constitution as soon as possible, dismantling the Bantustans, offering universal high-quality education and better health care and housing to black South Africans and permitting freedom of association. He welcomed the recent announcement by President De Klerk that the Land Acts, Group Areas Act and Population Registration Act were to be abolished. Steps should also be taken to assist Africans in acquiring land in proportion to their numbers.

14. He was particularly concerned at the information given in the Working Group's report (E/CN.4/1991/10) and in the report of the Secretary-General (A/45/615) concerning the torture and other inhuman treatment of children and adolescents in detention in South Africa. It was apparently possible for a minor to be arrested, held, tried, convicted and imprisoned without the knowledge of his or her parents. As far as detention without trial was concerned, there were no special provisions for children and detention was, in effect, imprisonment.

15. His delegation further condemned the Government's lack of concern for the human rights of South African children in respect of freedom of movement and the right to education and health. It appealed both to the authorities and to the international community to make concerted efforts to ameliorate those conditions.

16. The Working Group's report clearly showed that, despite the various statements and the elimination of some policies and practices of apartheid, injustice and brutality continued to dominate the day-to-day lives of the majority in South Africa. Most disturbing of all was the internecine violence and he appealed to the leaders of the various groups in South Africa to stop the brutalities. In that connection, he welcomed the move by the ANC, PAC and Inkatha to unite and fight together for freedom.

17. The South African Government must scrupulously implement its undertakings. Proceedings against former political prisoners should be halted and those under arrest or detention should be released so as to facilitate the advent of a new, democratic and non-racial South Africa.

18. Ms. MIROW (Sweden), speaking on behalf of the Nordic countries, said that over the past 12 months, dramatic and positive changes had taken place in southern Africa: Namibia had become independent, the devastating wars in Angola and Mozambique were finally being dealt with at the negotiating table, and significant progress had been made in South Africa towards the elimination of racial injustice.

19. The South African Government had shown that it was committed to the abolition of apartheid. Nelson Mandela and other political prisoners had been released. Political organizations had been unbanned, thereby making freedom of speech and of the press practical realities. The state of emergency had been lifted and detainees had been released. The ANC had suspended the armed struggle and committed itself to peaceful negotiations. The Government, for its part, had pledged itself to negotiate a new constitution which would give all South Africans full rights in every sphere of life.

20. The pillars of apartheid were being toppled; the Reservation of Separate Amenities Act had been scrapped, and the forthcoming repeal of the Land Acts, the Group Areas Act and the Population Registration Act had recently been announced. The international community had every reason to express satisfaction at the process of change which had begun and to pledge its continued support for the peaceful transformation of South Africa into a united, democratic, and non-racial society.

21. Much remained to be done, however, before apartheid was finally eradicated. For negotiations on a new constitution to begin, an atmosphere of trust must be created and maintained; that, in turn, required further progress on key issues such as the review of security legislation, the return of political exiles and the release of all political prisoners.

22. Time was of the essence. It was incumbent upon the South African Government to take the necessary steps to ensure the start of negotiations on a new constitution. All parties concerned must put their common democratic aspirations above their individual differences.

23. Apartheid was a negation of the very concept of human rights. In order to uphold an absurd system based on racial classification, successive Governments had been obliged to resort to a wide array of repressive measures. The eradication of apartheid was a precondition for restoring respect for human rights in South Africa.

24. The international community must continue to exert pressure on those who wished to turn back the clock. In that regard, the Commission and the United Nations system as a whole had an important role to play.

25. The Nordic countries would continue to follow developments in South Africa and the region very closely and to promote dialogue and the process of democratization. They remained committed to the United Nations Declaration on Apartheid and its Destructive Consequences in Southern Africa and would maintain pressure on the South African Government until there was clear evidence of irreversible change.

26. While a new constitution would be a milestone for human rights in South Africa, it would not mean that all human rights problems in that country had been solved. Not only the theory of apartheid but also its practice must be discarded. That would require a commitment from the Government and white South Africans to do away with the legacy of apartheid. Blacks had been robbed of land and property, forcibly relocated to barren, distant "homelands", separated from their families to provide cheap migrant labour, given inferior education and health care. All those wrongs must be put right.

27. Mr. ERMACORA (Austria) introducing the final report (E/CN.4/1991/10) of the Ad Hoc Working Group of Experts on southern Africa at the request of its Chairman, Mr. Balanda, who had been unable to attend, said the report was based on the results of an examination of the policies and practices that violated human rights in South Africa, including the infringement of trade union rights. The Working Group had continued to investigate and monitor cases of torture and ill-treatment of detainees and of deaths in detention. Special attention had also been given to the question of the detention, torture and other inhuman treatment of children in South Africa. The final report covered the period from January to December 1990.

28. Since its foundation, the Working Group had sought permission to visit South Africa, but authorization had not been granted to date. The Working Group had, in February 1990, again requested permission to visit the country but the Government of South Africa had judged the time inopportune for such a visit and had suggested that the application be renewed early in 1991.

29. The Working Group had therefore decided to visit Tanzania, Zambia and Zimbabwe, after a stopover in London and to prepare the final report based on the evidence gathered in those places.

30. Since the historic announcement by President De Klerk, on 2 February 1990, of his intention to release Mr. Nelson Mandela and to abolish discriminatory legislation, a number of encouraging measures had been adopted by the Government of South Africa as a first step to clearing the way for constitutional talks leading to the dismantling of the apartheid system. The ban on the African National Congress (ANC), the Pan-Africanist Congress (PAC), the South African Communist Party and many other organizations had been repealed, restrictions on ex-detainees had been lifted and, subsequently, the state of emergency had not been renewed in most parts of South Africa.

31. The Groote Schuur and Pretoria Minutes and the declaration by the ANC that it would cease the armed struggle had also helped to set the stage for peaceful negotiations. The lifting of the state of emergency in Natal and of the curfew in Soweto had also been positive developments. Unfortunately, the state of emergency in the so-called "homeland" of Bophuthatswana still remained in force.

32. Since 15 October 1990, the enjoyment of public amenities had no longer been segregrated. The use of swimming pools, beaches, public parks, libraries and public transport had been opened to all. In practice, however, implementation was by no means satisfactory. High entrance fees and the closing down of facilities had been resorted to at municipal level, in order to continue the previous practice of depriving black people access to public amenities.

33. The violence which had originated in Natal in late March 1990 and spread to townships on the outskirts of Soweto had taken a heavy toll. Disturbing reports had reached the Working Group of white participation and of the failure of the KwaZulu police and the South African police force to intervene in an impartial manner.

34. In the course of its field mission from 20 August to 12 September 1990, the Working Group had heard testimony that had made it clear that torture in detention continued and that detention without charge was as common as before. The Public Safety Act of 1953 and the Internal Security Act of 1982 empowered the Government to act in exactly the same way as under a state of emergency. Those two acts, and especially section 29 of the Internal Security Act, must be abolished.

35. The slavery-like situation of farm-workers, the most vulnerable of all the workers in South Africa, was of special concern to the Working Group. Although agreement had been reached, following prolonged negotiations between employers' representatives and COSATU, that farm-workers would be covered by the Employment Act, the agreement had not become law prior to the end of the 1990 parliamentary session. The right to strike or to conduct collective bargaining was not yet deemed a right of farm-workers.

36. Although the release of political prisoners by 1 September 1990 had been agreed to in the terms of the Pretoria Minute, many of them were still in exile or in gaol. The Working Group was particularly concerned about the case of Mr. "Mac" Maharaj; having returned from exile in order to participate as an ANC representative in negotiations with the Government, he had been arrested and detained under Section 29 of the Internal Security Act, despite being covered by a government indemnity.

37. The Working Group had requested the Secretary-General and the Chairman of the Commission to approach the South African Government on behalf of Mr. Maharaj, who had recently been charged in court together with other ANC members.

38. The Working Group had also heard testimony concerning the continued activity of extremist right-wing white groups, which had abundant arms as well as members among military and police personnel. It was clear that, even when the institutionalized apartheid structure had been dismantled, safeguarding the human rights of black people would remain a challenge.

39. Repeal of the Group Areas Act and the Land Acts, proposals for which had been recently announced by President De Klerk, would result, inter alia, in the abolition of land ownership restrictions. But mere repeal of those Acts might not be enough to redress the imbalance in land ownership, particularly since the Population Restriction Act remained intact; some affirmative action in favour of prospective black buyers might be required.

40. Subject to renewal of the Working Group's mandate, it would be necessary to fill the vacancies created by the demise of Mr. Jankovic and the resignation of Mr. Diaz Casanueva, to whose services he paid tribute on behalf of the Working Group. In the event that the Commission decided to extend its mandate, the Working Group would consider a visit to South Africa to be particularly important. In that context, the various tasks assigned to the Group over the years needed to be clearly expressed in its new mandate. The question whether the Group should present a provisional report to the General Assembly should likewise be addressed. The Working Group remained committed to facing the new challenges arising from the recent important changes in South Africa, and felt it could continue to make a useful contribution to the complete dismantling of the unjust system of apartheid.

41. Mr. KHLESTOV (Union of Soviet Socialist Republics) said that the international community was striving to bring about changes to the intolerable system of apartheid, a system which, through legislation and practice, sought to institutionalize racial discrimination and was a denial of all the basic principles set forth in the international instruments on human rights. Racism, racial discrimination and apartheid were a threat to world peace and security.

42. Artificial, arbitrary discrimination between population groups and individuals had long been a subject of grave concern to the United Nations system; the General Assembly and Security Council had declared on many occasions that apartheid violated the Charter. As long as that State system of racial discrimination existed, the South African Government was violating all standards of current international law; only the complete eradication of apartheid could bring the continued troubles in southern Africa to an end.

43. The international community must not slacken its efforts to apply pressure on the Pretoria régime for as long as the latter continued to uphold, in theory and in practice, the pseudo-scientific notion of the superiority of one race. The conditions of apartheid were incompatible with respect for human rights, and were an affront to civilization, morality and human dignity. No effort should be spared towards eradicating apartheid and establishing democratic government, free from racial discrimination and intolerance, in South Africa, pursuant to the basic international standards relating to human rights, as set forth inter alia in the International Convention on the Elimination of All Forms of Racial Discrimination.

44. The efforts to eradicate racist ideologies and practices which the United Nations had been making for many years, including the work of the Under-Secretary-General for Human Rights as Co-ordinator of the Programme of Action for the Second Decade to Combat Racism and Racial Discrimination, had recently begun to achieve real results, such as the process of decolonization in Namibia. The main task of the Second Decade was based on enhanced international co-operation and mutual assistance among States for the eradication of apartheid. The opening of dialogue between the South African Government and the ANC, and the removal of restrictions on a number of anti-apartheid organizations, testified to recognition that the apartheid system was an anachronism. It was time, therefore, that all political activitists still deprived of their freedom were released.

45. The South African Government had recently announced measures which implied that its future policy would conform to the provisions of the International Bill of Human Rights, thus recognizing that there was no alternative to the latter's ideals and values in a new South Africa. The statement made by President De Klerk on 1 February 1991 gave the impression that the door would be open to consultation, co-operation and plurality, with a view to establishing a truly democratic society. It was to be hoped that those avowed intentions would be backed by specific measures and that the discriminatory legislation would be repealed in the near future.

46. The international community rightly expected that the said reforms would lead to the eradication of apartheid not only in law and government but also in education, the economy and all other spheres, including the requisite changes in South Africa's electoral system, so that all the country's citizens would enjoy equal rights regardless of colour, race or ethnic origin.

47. International efforts should concentrate on promoting the necessary changes, while seeking to ensure that all manifestations, overt and covert, of racial discrimination and intolerance were truly abolished. In the current climate of heightened expectation and optimism, there must be no relaxing of vigilance against the emergence of apartheid in a new guise.

48. Mr. LITTMAN (World Union for Progressive Judaism) recalled that, less than a week previously President De Klerk of South Africa had announced measures to repeal the Group Areas Act and other legislation as part of the process of dismantling apartheid, saying that South Africa could not permit that process to slow down and that fundamental change there was irreversible. The question was what the Commission could do to help that process; as the representative of Sweden had said at the current meeting, the Commission had an important role to play in that regard, preferably by consensus.

49. At its forty-sixth session, the Commission, when adopting four resolutions on the topic (resolutions 1990/8, 11, 12 and 13), had made a single grudging reference to President De Klerk's historic message of the previous year. He had himself delivered at that session a message from Mrs. Helen Suzman, a leading member of South Africa's opposition Progressive Federal Party, whose lifetime of struggle against apartheid had earned international honours; but the Commission had not heeded her appeal for "new thinking". It had reaffirmed, in one resolution, that mandatory sanctions should be maintained - even though the General Assembly, at its preceding session, had voted to halt further sanctions.

50. In a further message to the Commission, Mrs. Suzman expressed the hope that, following President De Klerk's heartening speech on 1 February 1991, the Commission might lead the way by adopting a constructive and progressive resolution as a manifestation of the good will essential to the construction of a new South Africa. She reiterated her constant contention that changes in the outside world's attitude, and a tremendous effort by liberal forces within and outside South Africa, were essential to the rebuilding of a divided society.

51. Mr. Harry Oppenheimer, the former chairman of the Anglo-American Corporation and De Beers Consolidated Mines and a strong opponent of apartheid, had told the World Economic Forum, on 31 January 1989, that the advocates of sanctions were very rarely prepared to define their objectives and invariably called for an unrealistically short time-scale; for the most part, they aimed at majority rule with no guarantees of the rights of minorities and were quite willing, in some cases eager, to see private enterprise replaced by State socialism. Archbishop Tutu had rightly said, a few days previously, that it would be very difficult to continue to call for sanctions.

52. It was not easy, therefore, to understand why Mr. Nelson Mandela had, in more than one speech, emphasized the need for economic growth and foreign investment on the one hand, and insisted on the maintenance of sanctions on the other. Sustained growth was essential to a peaceful and prosperous South Africa; without it, that country would join the ranks of the third world countries in the African continent.

53. Mr. Bernales Ballesteros (Peru) took the Chair.

STATEMENT BY H.E. THE PRESIDENT OF THE SUPREME SOVIET OF THE UKRAINIAN SOVIET SOCIALIST REPUBLIC

54. Mr. KRAVCHUK (President of the Supreme Soviet of the Ukrainian Soviet Socialist Republic), having expressed his gratitude to the Centre for Human Rights for the organization of the European Workshop on International Standards in the Field of Human Rights held at Kiev in September 1990, said that human rights protection was a major factor in the contemporary world, the basis for constructive interaction between States and a prerequisite for defusing ideological, political and military confrontations. Experience had shown that disregard for common human values and generally-accepted standards of international law led to military conflicts and jeopardized a basic human right, the right to life. That was vividly demonstrated by the war in the Persian Gulf, which had resulted from aggression against Kuwait.

55. The democratic changes in the Ukraine had their origins in the new political thinking, that built upon common human values and gave priority to the individual, with all his needs and concerns. The experience of the Ukrainian SSR had shown that a disregard for human rights and an over-emphasis on class-based, ideological approaches in structuring the life of society had tragic consequences.

56. It was such an approach that had led to monstrous crimes against the people. Collectivization and the artificially induced famine in the Ukraine in 1932 and 1933 had caused millions of deaths. The situation had been aggravated by the repressions of the Stalinist period, which had affected all segments of the population, whether intellectuals, artists, scientists, teachers or ordinary workers and peasants. Efforts to crush dissent in the post-Stalinist period had also taken their toll.

57. An environment of fear and a system of double standards had been created that had given rise to a loss of moral principles. Having suffered under a totalitarian régime, repression and hunger, the Ukrainian people was particularly alive to the importance of human rights, but obstacles still existed on the road to their implementation.

58. The policy of glasnost had politicized the people to an extent never before seen. The yearning for democracy, i.e. real rule by the people, and the desire to ensure human rights and freedoms had become the common concern of all citizens.

59. The Commission had played a crucial role in protecting human rights throughout the World. The Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights had served as a guide in the Ukraine's legislative work. In the past, Ukrainian law had, in fact, reflected international human rights standards, but the true exercise of human rights had only just become possible, the Ukraine having undertaken to build a State founded on the rule of law, a true division of powers and an independent judiciary.

60. Guided by those ideals, the Supreme Soviet of the Ukrainian SSR had, in July 1990, adopted a Declaration on the State Sovereignty of the Ukraine, which underscored the Ukrainian people's desire to create a genuinely democratic society that ensured human rights and freedoms. It proclaimed the primacy of common human values over those based on class interests and the primacy of the generally recognized rules of international law over domestic law.

61. The Declaration on the State Sovereignty of the Ukraine had become the corner-stone of the Republic's entire legislative system. It had already served for making amendments to the Ukrainian Constitution that laid the legal foundations for establishing a multi-party system and a diversified economy.

62. To facilitate the democratization process, the Presidium of the Supreme Soviet had adopted a resolution on procedures for registering public organizations that would remain in effect until the relevant legislation was adopted; a bill was soon to be submitted to the Parliament for consideration. The practical utility of such an approach was self-evident, the Ukraine having already witnessed the constituent congresses of the Ukrainian Republican

Party, the Peasants' Party, the Ukrainian Democratic Party, the Democratic Party for the Rebirth of the Ukraine, the Liberal Democratic Party and the Green Party. Dozens of other political organizations and associations were also coming into being, and many of them had already been registered.

63. Amendments had been made to the regulations on religious associations to ensure the unimpeded registration and work of religious associations and centres of all faiths. A bill on freedom of conscience and religious organizations was in preparation. Desiring to accommodate the wishes of believers, the Republic's Supreme Soviet had decreed that three religious feast-days, would become official holidays.

64. The declaration on State sovereignty had been the basis for the adoption of a law on the Republic's economic independence that recognized the equality of all forms of ownership, whether public or private. The draft Ownership Act had been approved on first reading, and many other acts had been adopted or bills prepared with a view to paving the way for a transition to a market economy.

65. In that regard, a matter of particular concern was how to ensure the social protection of all citizens, especially the less affluent among them, in market conditions. That was being achieved, inter alia, by the resolution adopted in December 1990 by the Presidium of the Supreme Soviet on urgent measures to protect the rights and interests of the disabled during the transition to a market economy.

66. However, the process of safeguarding human rights in the Ukraine did not always run smoothly. Many problems had their roots in the past. That included for example the conflict involving the Ukrainian Catholic Church, the Ukrainian Orthodox Church and the Autocephalous Orthodox Church of the Ukraine and the restoration of the rights of the Crimean Tartars, who in the past had been the victims of repression. Serious conflicts had also arisen in connection with the violation of the rights of individuals as a result of inter-party struggles.

67. Difficulties had developed with regard to the implementation of decisions adopted by legislative bodies, the increased role of the courts in the democratization process, the legal training of officials and the awareness on the part of ordinary citizens of their rights.

68. The Ukrainian SSR was resolutely working to free itself from the heavy burden of the past. It was focusing its efforts on bringing national legislation into line with generally recognized international human rights standards.

69. The Ukraine attached great importance to promoting international humanitarian co-operation free of ideological confrontation. Co-operation must be conducted in good faith. The aim must be to improve international mechanisms for ensuring the protection of human rights throughout the world, to make existing international standards more specific and to create new ones. It was important to work towards making human rights standards and agreements universal and ensuring their strict implementation.

70. The Ukraine was participating actively in the elaboration of international human rights standards. It had made a contribution to the preparation of the International Covenants on Human Rights and other international legal instruments. It was involved in the work of the Commission on preparing the draft body of principles and guarantees for the protection of mentally-ill persons and for the improvement of mental health care, the draft declaration on the rights of persons belonging to national, ethnic, religious and linguistic minorities and the draft declaration on the right and responsibility of individuals, groups and organs of society to promote and protect universally recognized human rights and fundamental freedoms.

71. The Ukraine was also undertaking efforts to establish bilateral treaties and legal human rights mechanisms with neighbouring States. It had adhered to the Optional Protocol to the International Covenant on Civil and Political Rights and had declared that it recognized the competence of the International Court of Justice in respect of six human rights conventions.

72. The Ukraine was co-operating closely with the Human Rights Committee and the Committee on Economic, Social and Cultural Rights. In late 1990, the Human Rights Committee had considered the third periodic report of the Ukrainian SSR on the implementation of provisions of the International Covenant on Civil and Political Rights. On the whole, the assessment had been quite positive. In summing up the results, the experts had noted that the dynamics of the current socio-economic and political reforms in the Ukrainian SSR had shown, despite certain objective difficulties, that the Republic was moving towards a further broadening of political and civil rights and their practical implementation. The views of the experts would have a definite impact on the further improvement of the Ukraine's national human rights legislation.

73. The Ukraine welcomed the efforts of the Centre for Human Rights in arranging for information programmes, seminars and advisory services. For the citizens of the Ukrainian SSR, the improvement of legal competence was an urgent task. That had been facilitated by the European Workshop held in September 1990 at Kiev with the participation of renowned scholars, public figures, diplomats from virtually all countries of the region and experts from the United Nations and non-governmental organizations. The Ukraine was in favour of establishing centres of human rights documentation and training and was prepared to contribute in every way to setting up such a centre in Kiev.

74. His Government was pleased to note that substantial progress had been made recently in international human rights co-operation, as witnessed by the adoption of such important instruments as the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Declaration on the Right to Development, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the Second Optional Protocol to the International Covenant on Civil and Political Rights. Another major event was the coming into force of the Convention on the Rights of the Child, which had already been ratified by the Ukrainian SSR.

75. At the current juncture, the international community should concentrate its efforts on the preparation of documents to protect national, ethnic, religious and linguistic minorities. It was also high time that urgent steps were taken to ensure as a human right protection against the degradation of

the environment. Having been the victim of the Chernobyl tragedy, the Ukraine had a vital stake in that matter and would be very pleased if the category of ecological rights were given a legal foundation.

76. Fully sharing the principles and supporting the purposes of the Helsinki Final Act and the subsequent documents produced by the Conference on Security and Co-operation in Europe (CSCE), including those adopted at the 1990 CSCE Summit in Paris, and desiring to make its contribution to the building of the common European house, the Ukrainian SSR had declared its intention to become a full-fledged member of the Conference. That was fully in keeping with the Ukraine's status as a major European State with its own priorities and policies in the European context and was consistent with the goal of strengthening the atmosphere of mutual understanding and co-operation on the continent.

77. As a party to most international human rights agreements, the Ukrainian SSR would meet the obligations it had assumed and would contribute to the best of its ability to promoting inter-State co-operation in the area.

The meeting rose at 5.05 p.m.